

Message Text

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ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 /027 W

----- 073127

R 101600Z AUG 76

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 7257

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE BRASILIA 6998

E.O. 11652: N/A

TAGS: EAIR, BR

SUBJECT: CIVAIR: CERNAI PLENARY SESSION

REF: BRASILIA 6410

FOLLOWING TELEGRAM DRAFTED BY AMCONGEN RIO DE JANEIRO, EMBASSY
CONCURS.

1. IN TELEPHONE CONVERSATION WITH CONGEN RIO OFFICER ON
AUGUST 5, CERNAI OFFICIAL EXPLAINED THAT CERNAI PLENARY
SESSION HAD DISCUSSED FINAL ACT WORDING THE PREVIOUS DAY
AND REJECTED MOST RECENT US PROPOSAL. WHEN ASKED WHY,
HE EXPLAINED THAT IT WAS DUE TO FEELING IN PLENARY SESSION
THAT PROPOSED US WORDING WOULD CHANGE BASIC MEANING OF
PARA 5, SECTION A OF FINAL ACT. HE STATE THAT CERNAI PLENARY
SESSION DECISION WAS BEING TRANSMITTED TO FOREIGN MINISTRY
AND OFFICIAL DIPLOMATIC NOTE WOULD BE SENT TO EMBASSY WITHIN
TWO WEEKS.

2. COMMENT. FROM GOB'S STANDPOINT, FINAL ACT CONTAINS CON-
CESSION BENEFITING US CARRIER NOT REQUIRED BY GOB LEGAL INTERPRETA-
TION. THIS CONCESSION WAS TIED TO A SPECIFIC ARRANGEMENT BETWEEN
PANAM AND A BRAZILIAN CARRIER AS THE CIVAIR TALKS DEVELOPED. WORDING
PROPOSED BY US IS SEEN BY BRAZILIAN SIDE AS US EFFORT

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TO GIVE THIS CONCESSION A MORE GENERAL CHARACTER THAN GOB

AUTHORITIES INTENDED TO BE. GIVEN THE FACT THAT THE
UNDERLYING LEGAL ISSUE REMAINS MOOT AND GIVEN THE HISTORY
OF THIS ISSUE, EMBASSY SEES VERY LITTLE PROSPECT THAT
CERNAI CAN BE PERSUADED TO AGREE TO ANY FURTHER CHANGES
IN THE TEXT OF THE FINAL ACT.

3. EMBASSY WILL CONTINUE TO PRESS FOREIGN MINISTRY FOR
FORMAL RESPONSE.
CRIMMINS

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Message Attributes

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